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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,159	12/22/2000	George Beshara Bendak	AMCC4500	2329
7590 12/08/2004			EXAMINER	
Terrance A. Meador INCAPLAW 1050 Rosecran Street Suite K San Diego, CA 92106			KADING, JOSHUA A	
			ART UNIT	PAPER NUMBER
			2661	
DATE MAILED: 12/08/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/746,159

Applicant(s)

BENDAK ET AL. 

Examiner

Joshua Kading

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7, 10-18, 20-26, 29 and 30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 10-18 and 20-26 is/are rejected.
- 7) ☒ Claim(s) 20, 29 and 30 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Objections*

Claim 20 is objected to because of the following informalities:

Claim 20, lines 18-19 state "wherein the translator accepts translation information

5 including the source node of the received frame and the destination node of the transmitted frame..." There is no antecedent basis for "the source node" or "the destination node." Further, it is not clear how a translator can accept a node (such as the source or destination node). Therefore, it is suggested that lines 18-19 be changed as follows:

10 --wherein the translator accepts translation information including a source node address of the received frame and a destination node address of the transmitted frame...-- or -- wherein the translator accepts translation information including a source node identifier of the received frame and a destination node identifier of the transmitted frame...--

15 Claim 20, lines 20-21 state "...the first overhead byte organization associated with the source node to the second overhead byte organization associated with the destination node..." There is no antecedent basis for "the first overhead byte organization" or "the second overhead byte organization". Also, for consistency, the terms "the source node" and "the destination node" should be changed as in lines 18-  
20 19. Therefore it is suggested lines 20-21 be changed to the following:

--...a first overhead byte organization associated with the source node address to a second overhead byte organization associated with a destination node address...-- or

--...a first overhead byte organization associated with the source node identifier to a  
second overhead byte organization associated with a destination node identifier...--

Appropriate correction is required.

5

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10

Claims 11-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

15

Claim 11, lines 6 states "the first byte...the second byte". It is not clear which bytes applicant is referring to in line 6 because claim 11, lines 2-3 disclose "a first synchronization byte...a second synchronization byte," and claim 1, lines 6-7 disclose "a first overhead byte...a second overhead byte". Are "the first byte" and "the second byte" referring to "synchronization bytes" or "overhead bytes"?

***Claim Rejections - 35 USC § 103***

20

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

25

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7, 10, and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rayner et al. (U.S. Patent 6,765,865 B1) in view of Van Seters et al. (U.S. Patent 5,651,002).

5           Regarding claim 1, Rayner discloses "a method for translating multidimensional digital frame structures, the method comprising: receiving a frame with overhead bytes organized in a first system (col. 1, lines 36-50 where a "stream" of data must be received at some node); comparing a first overhead byte organization associated with the source node to a second overhead byte organization associated with the destination  
10   node (col. 1, lines 51-59 where the synchronization word of the first organization is compared in the look-up table with the second organization synchronization word); accessing translation parameters by creating translation parameters in response to comparing the first and second overhead byte organizations (col. 1, lines 51-59 where the data accessed in the look-up table is accessed in response to the comparing of the  
15   overhead bytes and the parameters in the look-up table were at one point created); and translating the frame in response to the accessed translation parameters so that the overhead bytes are organized in a second system (col. 1, lines 51-59)."

          However, Rayner lacks what Van Seters discloses, "determining a destination node (figure 2, all elements 54 where the destination node is determined by accessing the  
20   data in the header); determining a source node from which the frame is received (figure 2, all elements 56 where, as with the destination node, the source node is determined through the address in the header)."

It would have been obvious to one with ordinary skill in the art at the time of invention to include the destination node and source node addresses for the purpose of identifying the destination node's protocol and the source node's protocol. The motivation for identifying the different protocols is so that the packet can be "translated" or converted between them so that the packet can ultimately be transmitted to its destination (Van Seters, col. 1, lines 63-col. 2, lines 1-2).

Regarding claim 2, Rayner and Van Seters disclose the method of claim 1. However, Van Seters lacks what Rayner further discloses, "wherein receiving a frame with overhead bytes organized in a first system includes receiving an overhead byte in a first location (col. 1, lines 36-50); and wherein translating the frame so that the overhead bytes are organized in a second system includes relocating the overhead byte to a second location (col. 1, lines 64-67 where the added synchronization words are added at different locations than was first received)." It would have been obvious to one with ordinary skill in the art to include the receiving of the overhead bytes at a first location and translating them to a different location for the same reasons and motivation as in claim 1.

Regarding claim 3, Rayner and Van Seters disclose the method of claim 1. However, Van Seters lacks what Rayner further discloses, "wherein receiving a frame with overhead bytes organized in a first system includes receiving an overhead byte having a first value (col. 1, lines 36-50); and wherein translating the frame so that the

overhead bytes are organized in a second system includes replacing the overhead byte with a second value (col. 1, lines 51-67 where the first synchronization word is translated using the look-up table and replaced with the newly found synchronization word).” It would have been obvious to one with ordinary skill in the art to include the receiving of the overhead bytes at a first location and replacing them with a different set of bytes for the same reasons and motivation as in claim 1.

Regarding claim 4, Rayner and Van Seters disclose the method of claim 1. However, Van Seters lacks what Rayner further discloses, “wherein receiving a frame with overhead bytes organized in a first system includes receiving a first overhead byte (col. 1, lines 36-50); and wherein translating the frame so that the overhead bytes are organized in a second system includes adding a second overhead byte (col. 1, lines 64-67 where the added synchronization words are added at different locations than was first received).” It would have been obvious to one with ordinary skill in the art to include the receiving of the overhead bytes at a first location and adding a second overhead byte for the same reasons and motivation as in claim 1.

Regarding claim 5, Rayner and Van Seters disclose the method of claim 1. However, Van Seters lacks what Rayner further discloses, “wherein receiving a frame with overhead bytes organized in a first system includes receiving a first overhead byte (col. 1, lines 36-50); and wherein translating the frame so that the overhead bytes are organized in a second system includes removing the first overhead byte (col. 1, lines

51-67 where the first synchronization word is translated using the look-up table and thus removed)." It would have been obvious to one with ordinary skill in the art to include the receiving of the overhead bytes at a first location and removing them for the same reasons and motivation as in claim 1.

5

Regarding claim 6, Rayner and Van Seters disclose the method of claim 1.

However, Van Seters lacks what Rayner further discloses, "wherein receiving a frame with overhead bytes organized in a first system includes receiving a first byte in a first location (col. 1, lines 36-50); and wherein translating the frame so that the overhead  
10 bytes are organized in a second system includes replacing the first byte with a second byte, and locating the second byte in a second location, different than the first location (col. 1, lines 51-67 where the first synchronization word is translated using the look-up table and replaced with the newly found synchronization word and there are added synchronization bytes added)." It would have been obvious to one with ordinary skill in  
15 the art to include the receiving of the overhead bytes at a first location and locating the second overhead byte in a different location for the same reasons and motivation as in claim 1.

Regarding claim 7, Rayner and Van Seters disclose the method of claim 1.

20 However, Van Seters lacks what Rayner further discloses, "wherein the overhead bytes are selected from the group of overhead byte functions including frame synchronization bytes (col. 1, lines 36-67)..." It would have been obvious to one with ordinary skill in the



art to include the synchronization bytes for the same reasons and motivation as in claim 1.

Regarding claim 10, Rayner and Van Seters disclose the method of claim 1.

5 However, Van Seters lacks what Rayner further discloses, "transmitting the frame with overhead bytes organized in the second system to the destination node (col. 1, lines 59- col. 2, lines 1-2 where it is strongly implied that the translated data will be transmitted to a destination after being converted from parallel to serial)." It would have been obvious to one with ordinary skill in the art to include the transmitting of the frame after  
10 translation for the same reasons and motivation as in claim 1.

Regarding claim 14, Rayner and Van Seters disclose the method of claim 10.

However, Van Seters lacks what Rayner further discloses, "wherein receiving a frame with overhead bytes organized in a first system includes receiving a first frame  
15 synchronization byte value (col. 1, lines 36-50); and wherein translating the frame so that the overhead bytes are organized in a second system includes replacing the first frame synchronization byte value with a second frame synchronization byte value (col. 1, lines 51-67 where the first synchronization word is translated using the look-up table and replaced with the newly found synchronization word)." It would have been obvious  
20 to one with ordinary skill in the art to include the receiving of the overhead bytes at a first location and replacing them with a different set of bytes for the same reasons and motivation as in claim 10.

Regarding claim 15, Rayner and Van Seters disclose the method of claim 10. However, Van Seters lacks what Rayner further discloses, "wherein receiving a frame with overhead bytes organized in a first system includes receiving a first frame  
5 synchronization byte (col. 1, lines 36-50); and wherein translating the frame so that the overhead bytes are organized in a second system includes dropping the first frame synchronization byte (col. 1, lines 51-67 where the first synchronization word is translated using the look-up table and thus dropped)." It would have been obvious to one with ordinary skill in the art to include the receiving of the overhead bytes at a first  
10 location and dropping the first synchronization byte for the same reasons and motivation as in claim 10.

Regarding claim 16, Rayner and Van Seters disclose the method of claim 10. However, Van Seters lacks what Rayner further discloses, "wherein receiving a frame  
15 with overhead bytes organized in a first system includes receiving a first frame synchronization byte (col. 1, lines 36-50); and wherein translating the frame so that the overhead bytes are organized in a second system includes adding a second frame synchronization byte (col. 1, lines 64-67 where the added synchronization words are added at different locations than was first received)." It would have been obvious to one  
20 with ordinary skill in the art to include the receiving of the overhead bytes at a first location and adding a second overhead byte for the same reasons and motivation as in claim 10.

Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rayner et al. and Van Seters et al. as applied to claim 10 above, and further in view of Grossman et al. (U.S. Patent 5,835,730).

5           Regarding claim 11, Rayner and Van Seters disclose the method of claim 10. Rayner further discloses "wherein translating the frame so that the overhead bytes are organized in a second system includes locating the first byte in a third location, and the second byte in a fourth location in the frame (col. 1, lines 64-67 where the additional synchronization bytes are placed at third and fourth locations)."

10           However, Rayner and Van Seters lack what Grossman discloses, "wherein receiving a frame with overhead bytes organized in a first system includes receiving a first frame synchronization byte in a first location, and a second frame synchronization byte in a second location (figures 2 and 3 where figure 2 shows a frame with two different header locations and figure 3 shows that each header contains a sync byte)."

15           It would have been obvious to one with ordinary skill in the art at the time of invention to include the first and second sync byte locations for the purpose of synchronizing each packet associated with the respective header. The motivation for synchronizing packets is so that the data contained within will be useful and the same as when it was transmitted.

20

          Regarding claim 12, Rayner, Van Seters, and Grossman disclose the method of claim 11. However, Van Seters and Rayner lack what Grossman further discloses,

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“wherein translating the frame so that the overhead bytes are organized in a second system includes the first and third locations being different (figures 2 and 3 where the sync byte in the header is in two different locations).” It would have been obvious to one with ordinary skill in the art to include the different locations for the overhead bytes for the same reasons and motivation as in claim 11.

Regarding claim 13, Rayner, Van Seters, and Grossman disclose the method of claim 12. However, Van Seters and Grossman lack what Rayner further discloses, “wherein translating the frame so that the overhead bytes are organized in a second system includes the second and fourth locations being different (col. 1, lines 64-67).” It would have been obvious to one with ordinary skill in the art to include the different locations for the overhead bytes for the same reasons and motivation as in claim 12.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rayner et al. and Van Seters et al. as applied to claim 1 above, and further in view of Rosenberg et al. (U.S. Patent 6,141,788).

Regarding claim 17, Rayner and Van Seters disclose the method of claim 1. However, Rayner and Van Seters lack what Rosenberg discloses, “wherein receiving a frame with overhead bytes organized in a first system includes receiving a frame with a forward error correction bytes in an active parity section (col. 2, lines 28-31 and 35-40 where although the FEC packet is its own packet entity, separate from the media packet, it still contains overhead bytes organized in a first system); and wherein

translating the frame so that the overhead bytes are organized in a second system includes ignoring the forward error correction bytes so that parity section is not active (col. 2, lines 40-44 where the FEC packet can be ignored and thus the section is not active).” It would have been obvious to one with ordinary skill in the art at the time of invention to include the ignoring of the FEC bytes for the purpose of allowing different types of nodes to be present in the system even if they are not FEC-capable. The motivation for doing so would be to allow for many different types of receivers to communicate with one another.

10           Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rayner et al. and Van Seters et al. as applied to claim 1 above, and further in view of Watanabe et al. (U.S. Patent 6,084,888).

          Regarding claim 18, Rayner and Van Seters disclose the method of claim 1. However, Rayner and Van Seters lack what Watanabe discloses, “wherein receiving a frame with overhead bytes organized in a first system includes receiving a frame with bytes in a non-active parity section (figure 4, elements 401 and 402 are frames received with no FEC, i.e. a non-active parity, section); and wherein translating the frame so that the overhead bytes are organized in a second system includes calculating the forward error correction bytes for the frame and making the parity section active (figure 2, elements 421 and 423 calculate the FEC codes and then the codes are reorganized into a new frame as shown in element 418).” It would have been obvious to one with ordinary skill in the art at the time of invention to include the non-active parity section

and the translation of frame to include FEC bytes for the purpose of detecting errors (Watanabe, col. 1, lines 40-45). The motivation for correcting errors in packets is so that packets with errors will not have to be retransmitted, thus possibly causing more delay and congestion.

5

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. in view of Van Seters et al.

Regarding claim 20, Watanabe discloses "an integrated circuit (IC) relay device for translating a multidimensional digital frame structure, the device comprising: a frame  
10 transmitter including an overhead generator to generate an overhead section of a frame (figure 4, element 715), a payload generator to generate a payload section of the frame, and an encoder to provide forward error correction (FEC) for the frame (figure 4, element 423); wherein the overhead generator includes an input to receive overhead bytes that have been translated from a first system to a second system (figure 4,  
15 element 715); a frame receiver including an overhead receiver to receive the overhead section of the frame (figure 4, element 711), a payload receiver to receive the payload section of the frame (figure 4, element 404), and a decoder to provide a forward error corrected (FEC) frame (figure 4, element 714); end wherein the overhead receiver includes an output to provide the overhead bytes organized in the first system (figure 4,  
20 element 404 receives the parts of header receiver 711 and outputs them along with the payload); a translator having an input to accept the overhead bytes from the overhead receiver, an input to accept translation information, and an output connected to the

overhead generator to supply overhead bytes translated from a first system to a second system (figure 4, element 419 has inputs from element 404 for providing the overhead information, element 419 has inputs from element 714 for providing the translation parameters, and element 419 has output to element 715 for the translated frame)...

- 5 wherein the translator compares a first overhead byte organization...to a second overhead byte organization...(col. 6, lines 13-16 where the FEC code is generated using the first organizational layout header with information about the second organizational layout, i.e. the FEC is generated from the first organization layout to be used by the second organizational layout so the two must be compared in some way),  
10 and wherein the translator translates overhead bytes in response to comparing the first and second overhead byte organizations (figure 4, elements 714 as described in col. 6, lines 10-23)."

However, Watanabe lacks what Van Seters discloses, "wherein the translator accepts translation information including a source node address of the received frame  
15 and a destination node address of the transmitted frame (figure 2, elements 54 and 56 show the destination and source addresses received in a frame, and although Watanabe does not explicitly show a source or destination address in the header, it would have been obvious to one with ordinary skill in the art to put a source address and a destination address in the header)..."

20 It would have been obvious to one with ordinary skill in the art at the time of invention to include the translation of the first organization layout to the second organizational layout for the purpose of passing packets between different network

types (Van Seters, col. 1, lines 63-col. 2, lines 1-6). The motivation passing packets between different network types is to allow communication between these networks.

Claims 21-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over  
5 Watanabe et al. and Van Seters et al. as applied to claim 20 above, and further in view of Rayner et al.

Regarding claim 21, Watanabe and Van Seters disclose the device of claim 20. However, Watanabe and Van Seters lack what Rayner further discloses, "wherein the  
10 overhead receiver receives an overhead byte in a first location (col. 1, lines 36-50); and wherein the overhead generator supplies the overhead bytes relocated to a second location (col. 1, lines 64-67 where the added synchronization words are added at different locations than was first received)." It would have been obvious to one with ordinary skill in the art to include the moving of the overhead bytes for the purpose of  
15 translating the packet. The motivation for translation of the packet is to allow networks of different types to communicate with one another (Van Seters, col. 1, lines 63-col. 2, lines 1-2).

Regarding claim 22, Watanabe and Van Seters disclose the device of claim 20.  
20 However, Watanabe and Van Seters lack what Rayner further discloses, "wherein overhead receiver receives an overhead byte having a first value (col. 1, lines 36-50); and wherein the overhead generator replaces the overhead byte first value with a



second value (col. 1, lines 51-67 where the first synchronization word is translated using the look-up table and replaced with the newly found synchronization word).” It would have been obvious to one with ordinary skill in the art to include the replacing of the overhead bytes for the purpose of translating the packet. The motivation for translation  
5 of the packet is to allow networks of different types to communicate with one another (Van Seters, col. 1, lines 63-col. 2, lines 1-2).

Regarding claim 23, Watanabe and Van Seters disclose the device of claim 20. However, Watanabe and Van Seters lack what Rayner further discloses, “wherein  
10 overhead receiver receives a first overhead byte (col. 1, lines 36-50); and wherein the overhead generator adds a second overhead byte to the frame overhead section (col. 1, lines 64-67 where the added synchronization words are added at different locations than was first received).” It would have been obvious to one with ordinary skill in the art to include the adding of the overhead bytes for the purpose of translating the packet.  
15 The motivation for translation of the packet is to allow networks of different types to communicate with one another (Van Seters, col. 1, lines 63-col. 2, lines 1-2).

Regarding claim 24, Watanabe and Van Seters disclose the device of claim 20. However, Watanabe and Van Seters lack what Rayner further discloses, “wherein the  
20 overhead receiver receives a first overhead byte (col. 1, lines 36-50); and wherein the overhead generator removes the first overhead byte from the frame overhead section (col. 1, lines 51-67 where the first synchronization word is translated using the look-up

table and thus removed).” It would have been obvious to one with ordinary skill in the art to include the removing of the overhead bytes for the purpose of translating the packet. The motivation for translation of the packet is to allow networks of different types to communicate with one another (Van Seters, col. 1, lines 63-col. 2, lines 1-2).

5

Regarding claim 25, Watanabe and Van Seters disclose the device of claim 20. However, Watanabe and Van Seters lack what Rayner further discloses, “wherein the overhead receiver receives a first byte in a first location (col. 1, lines 36-50); and wherein the overhead generator replaces the first byte with a second byte, and locates  
10 the second byte in a second location, different than the first location (col. 1, lines 51-67 where the first synchronization word is translated using the look-up table and replaced with the newly found synchronization word and there are added synchronization bytes added).” It would have been obvious to one with ordinary skill in the art to include the replacing of the overhead bytes for the purpose of translating the packet. The motivation  
15 for translation of the packet is to allow networks of different types to communicate with one another (Van Seters, col. 1, lines 63-col. 2, lines 1-2).

Regarding claim 26, Watanabe and Van Seters disclose the device of claim 20. However, Watanabe and Van Seters lack what Rayner further discloses, “wherein the  
20 overhead bytes are selected from the group of overhead byte functions including frame synchronization bytes (col. 1, lines 36-67)...” It would have been obvious to one with ordinary skill in the art to include the selecting the overhead bytes as synchronization

bytes for the purpose of translating the packet. The motivation for translation of the packet is to allow networks of different types to communicate with one another (Van Seters, col. 1, lines 63-col. 2, lines 1-2).

5

***Allowable Subject Matter***

Claims 29 and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10

***Response to Arguments***

Applicant's arguments with respect to claims 1-7, 10-18, 20-26, 29, and 30 have been considered but are moot in view of the new ground(s) of rejection.

15

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Kading whose telephone number is (571) 272-3070. The examiner can normally be reached on M-F: 8:30AM-5PM.

20

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth Vanderpuye can be reached on (571) 272-3078. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

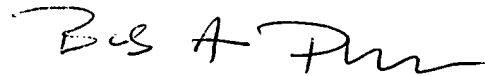
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- 5 For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Joshua Kading  
Examiner  
Art Unit 2661

10 December 2, 2004



**BOB PHUNKULH**  
**PRIMARY EXAMINER**